

CASE PH 7483 NP

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Sammy G. Duncan, Jr., Ph.D.

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May 9, 2005

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

LEE ET AL.

APPLICATION NO: 10/743,449

EXAMINER: EVELYN MEI HUANG

FILED: DECEMBER 19, 2003

FOR: SUBSTITUTED TRICYCLIC GAMMA-CARBOLINES AS
SEROTONIN RECEPTOR AGONISTS AND ANTAGONISTS

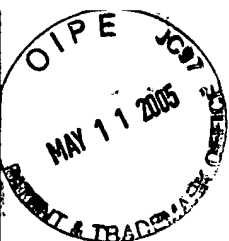
Commissioner for Patents
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

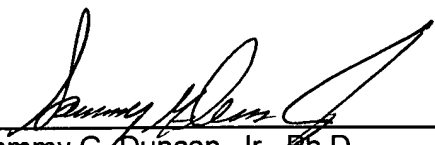
Responsive to the Restriction Requirement dated April 28, 2005, Applicants elect, with traverse, Group I "drawn to a compound of formula (I) wherein $m=1$, classified in class 546, subclass 85, and the composition thereof. (Page 2, April 28, 2005 Restriction Requirement).

Applicants respectfully traverse the requirement for an Election on the grounds that the reasons stated by the Examiner do not support her contention that separate searches would be required during the examination of the present application. One of skill in the art at the time of the application would have readily determined that the pyridioindoles of Group I and the azepinoindoles of Group II are structurally similar and can be made by the same chemical process. Applicants do not believe that a serious burden would be imposed upon the Examiner to search the Applicants' claimed genus of compounds.



In view of the foregoing, Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited. If the Examiner has any questions or believes further discussion will aid examination and advance prosecution of the application, a telephone call to the undersigned is invited.

Respectfully submitted,



Sammy G. Duncan, Jr., Ph.D.
Attorney for Applicants
Reg. No. 46,675

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-6270

Date: May 9, 2005